Amendment No. 1

To

Substitute Ordinance No. BL2015-1205

Madam President:

I move to amend Substitute Ordinance No. BL2015-1205 by adding the following new Section 5 and renumbering the existing Section 5 and the remaining Sections accordingly:

Section 5. Be it further enacted, that the final SP plan to be submitted to the Planning Department prior to the issuance of any building permits shall provide a building stepback of 15 to 20 feet in depth (i.e., one parking bay depth) on the west wall of the proposed structure facing the Rhythm condominium building. This building stepback shall be incorporated at an elevation that matches the building elevation of the pool amenity deck of the Rhythm, which is the first floor of residential units for the Rhythm. The limits of the stepback shall begin at the face of the Rhythm residential units facing Demonbreun Street and continue northward to the full extent of the building.

Introduced By:

Erica Gilmore

Member of Council

ADOPTED: August 4, 2015

SUBSTITUTE FOR ORDINANCE NO. BL2015-1205

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, all of which is described herein (Proposal No. 2015SP-048-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, being Property Parcel Nos. 203, 204, 205, 206, 255, 256, 257, 259 as designated on Map 093-09 and Property Parcel Nos. 007, 010, 011, 013 as designated on Map 093-13 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 093 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to up to 590 multi-family units and all other uses permitted in the CF district.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. The maximum heights of the buildings are limited to 22 stories in 289 feet.

- 2. Finalized landscape plans shall be submitted with the final site plan and shall meet or exceed the standards of the Zoning Code for the CF district.
- 3. Bicycle parking shall be provided in accordance with Section 17.20.135 of the Zoning Code.
- 4. Sidewalk widths shall be as per the adopted Major and Collector Street Plan.
- 5. Plans for highly visible crosswalks shall be reviewed and approved by Planning and Public Works prior to approval of the final site plan.
- 6. Comply with all Public Works conditions.
- 7. The anchor tenant on the corner of McGavock Street and 16th Avenue South is permitted one façade mounted sign with a maximum size of 280 square feet along McGavock Street, and one projection sign along 16th Avenue South with a maximum height of 15 feet, and a maximum projection of six feet from the face of the façade. All other façade mounted signs and projection signs shall comply with the existing standards of the Music Row UDO. Skyline signs shall be prohibited.
- 8. The first final site plan shall include a grocery store or return to the Metro Planning Commission for review.
- 9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CF zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

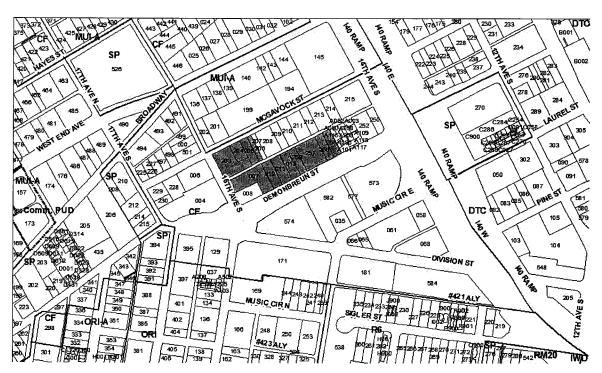
Approved with conditions and disapproved without all conditions, (70) INTRODUCED BY:

APPROVED ON June 11,0015 BY THE METHOPOLITANPLANNING COMMISSION.

OFFILTY DIRECTOR

2015SP-048-001 DEMONBREUN HILL Map 093-09, Parcel(s) 203-206, 255-257, 259 Map 093-13, Parcel(s) 007, 010, 011, 013 Subarea 10, Green Hills - Midtown District 19 (Erica S. Gilmore)

A request to rezone from CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, requested by Kimley-Horn, applicant; Elmington Capital Group, owner.





DEMONBREUN HILL ECG DEMONBREUN, LLC

SPECIFIC PLAN RE-SUBMITTAL

HUMPHREYS & PARTNERS URBAN ARCHITECTURE, L.P. Kimley »Horn

1 SITE OV	ERVIEW
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~	TVIOTING.	COMPITIONS

- 3 SOILS AND SLOPES
- 4-5 CONTEXT PLAN
- 6 COMMUNITY PLAN
- 7-8 ADJACENT PROPERTIES
- 9 UDO CANCELLATION PLAN
- 10. SPECIFIC PLAN
- 11 LAND USES & DEVELOPMENT TABLE
- 12-13 POTENTIAL BUILDING PROGRAM
- 14-17 DESIGN GUIDELINES/SIGNAGE
 - 18 UTILITY PLAN
 - 19 CIRCULATION PLAN
 - 20 LANDSCAPE PLAN
 - 21 AMENITY PLAN
 - 22 KIT OF PARTS
 - 23 TREE DENSITY WORKSHEET
- 24-25 STREET SECTIONS

NUMPHREYS & PARTNERS (HERMARCHITECTURE) LP

Kimley »Horn

SITE OVERVIEW

SP Name: Demonbreun Hill Council District: 19 Council Member: Erica Gilmore

Address/Map and Parcels/Owners of Record:

112 16th Ave. S, Nashville, TN

1533 Mcgavock St, Nashville, TN

37203/09309020300/ECG Demonbreun, LLC 37203/09309020400/ECG Demonbreun, LLC 37203/09369020500/ECG Demonbreun, LLC

37203/09309020600/ECG Demonbreun, LLC

37203/09309025500/ECG Demonbreun, LLC

37203/09309025600/ECG Demonbreun, U.C. 37203/09309025700/ECG Demonbreun, LLC

37203/09309025900/ECG Demonbreun, LLC

37203/09313001300/ECG Demonbreun, LLC

37203/09313001100/ECG Demonbreun, LLC 37203/09313001000/ECG Demonbreun, LLC

37203/09313000700/ECG Demonbreun, LLC

FEMA Firm Panel: 47037C0218F

Existing Zoning:

CF, OV-UZO, MDHA-AC, OVUDO

ECG Demonbreun, LLC Dominic Zabriskie

Civil Engineer:

Kimley-Horn and Ass Brendan Boles, P.E. 615.564.2701

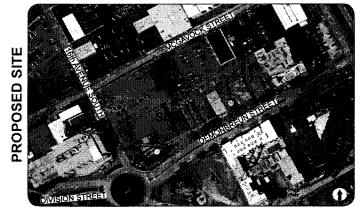
Kimley-Horn and Associates, Inc. David Coode, PLA, AICP 615.564.2701

Humphreys & Partners

Urban Architecture, L.P. Jonathan Delcambre 972.701.9636

LOCATION MAP



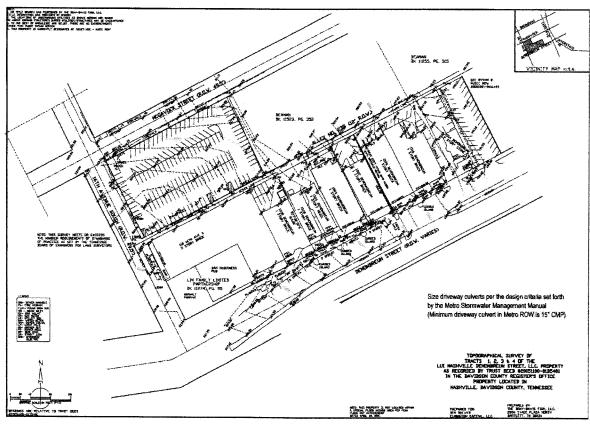


Kimley»Horn

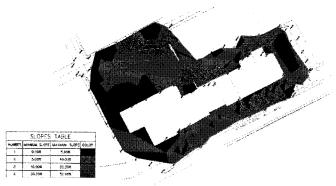
HUMPHREYS & PARTNERS (FEAR ARCHITECTURE, LF



DEMONBREUN HILL EGG OEMONBREUN LLC SPECIFIC PLAN SUBMITTAL







Davidson County, Tennessee

McB-Maury-Urban land complex, 2 to 7 percent slopes

Map Unit Setting
National map unit symbol: kknq
Mean annual orecipitation: 39 to 57 inches.
Mean annual air temperature: 48 to 70 degrees F
Frost-free parted: 190 to 205 days
Farmland classification: Not prime farmland

Map Unit Composition
Maury and similar soits: 60 percent
Urban land: 35 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the
mentions.

Description of Maury

Typical profile

H1 - 0 to 7 inches: silt loam

H2 - 7 to 24 inches: silty clay loam

H3 - 24 to 65 inches: silty clay

H3 - 24 to 65 miches: sity clay

Proparties and qualities

Slope: 2 to 7 persont

Doubt to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat):

Mocierately high to high (0,60 to 6,00 in/hr)

Dopth to water table: More than 80 inches

Frequency of flooding: None

Frequency of conding: None

Available water storage in profile: High (about 11.3 inches) Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A

Description of Urban Land Typical profile
H1 - 0 to 6 inches: variable

Kimley »Horn



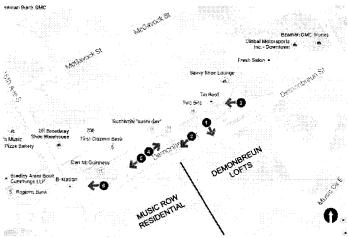
DEMONBREUN HILL EGG DEMONBREUN, LLC SPECIFIC PLAN SUBMITTAL







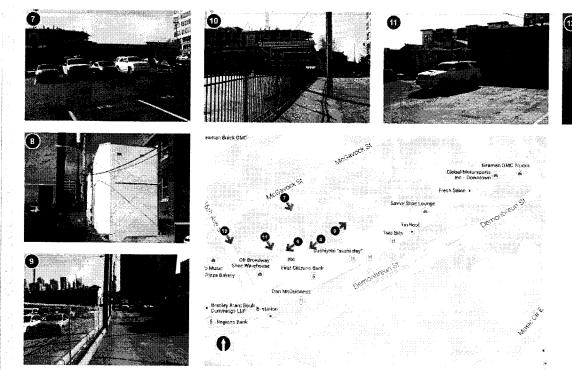












Kimley »Horn

DEMONBREUN HILL EGG DEMONBREUN, LLC SPECIFIC PLAN SUBMITTAL

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18 Paimer Plaza 18 and West End 18 19 M-Residences 19th and South Street 19	Hospitalin-Existing
19 M-Residences 19th and South Street 19	
	Office Existing
20 Sky House 17th and Division 25	Multifamily Planned
	Multifamily-Flanned

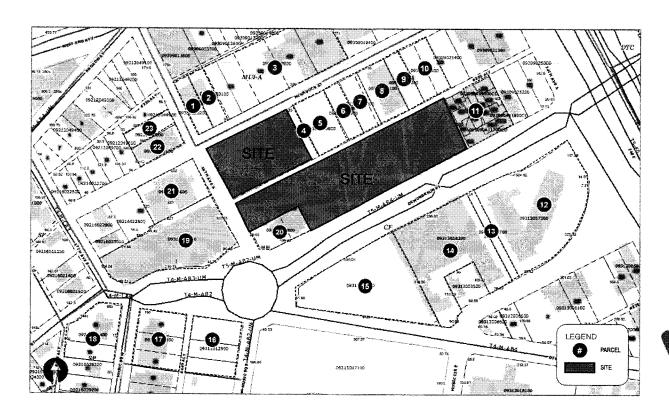
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The Community character policy map for the Midtown Community illustrates the desire and potential for development. The Midtown policy is divided into sections of "T indicators that govern heights, densities, and uses. The proposed Demonbreun Hill development is currently not within a "T designation but does its directly adjacent to the policy area T5-MU-01. Determination for this policy notes that "buildings may rise to 20 stories and above."

Sites in the vicinity and in the Music Row UDO have increased in intensity well above those first envisioned for the area. Multiple parcels have been combined and have developed with appropriate land uses, but at a higher intensity than originally expected. Several parcels to the south of our site include developments over 15 stories. Current development plans of similar

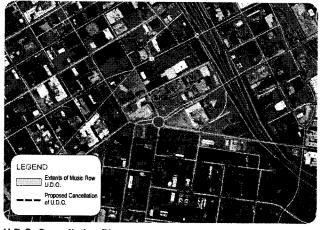
intensity are taking place along Demonbreun Street and are providing the desired transition to the Midtown neighborhood.

Heights and densities of developments that are proposed or currently built in the immediate area are shown on the map above. Some of these were approved prior to policy implementation and others received variances. The character of the existing and current construction for height and density surrounding the Demonbreun Hill site has set the stage for the proposed mixel-use development.



DEMONBREUN HILL EOG DEMONBREUN, LLC SPECIFIC PLAN SUBMITTAL

<u> </u>			A district					100	Zaning
1	09309020200	BEAMAN MOTOR CO	1532 MCGAVOCK.ST	NASHVILLE	TN	37203	09309	202	MUI-A/OV-UZO/OV-ADE
2	09309020100	BEAMAN MOTOR CO	1530 MCGAVOCK ST	NASHVILLE	TN	37203	09309	201	MUI-A/OV-UZO/OV-ADE
3	09309019900	GLEN LEVEN LTD PRTNRSHP	1525 BROADWAY	NASHVILLE	TN	37203	09309	199	OV-UZO/CF/ CF
4	09309020700	BEAMAN, LEE A.	1527 MCGAVOCK ST	NASHVILLE	TN	37203	09309	207	OV-UZO/CF
5	09309020800	BEAMAN, LEE A.	1525 MCGAVOCK ST	NASHVILLE	TN	37203	09309	208	OV-UZO/CF
6	09309020900	BEAMAN, LEE A.	1523 MCGAVOCK ST	NASHVILLE	TN	37203	09309	209	OV-UZO/ MDHA-AC/ OV-UDO/ OV-ADE/ CF
7	09309021000	BEAMAN, LEE A.	1521 MCGAVOCK ST	NASHVILLE	TN	37203	09309	210	OV-UZO/ MDHA AC/:OV-UDO OV-ADE/ CF
8	09309021100	BEAMAN, LEE A.	517 MCGAVOCK ST	NASHVILLE	TN	37203	09309	211	OV-UZO/ CF
9	09309021200	BEAMAN, LEÉ A.	1515 MCGAVOCK ST	NASHVILLE	TN	37203	09309	120	OV-UZO/ MDHA-AC/ OV-UDO/ OV-ADE/ CF
10	09309021300	BEAMAN, LEE A.	1511 MCGAVOCK ST	NASHVILLE	TN	37203	09309	213	OV-UZO/ MDHA-AC/ OV-UDO/ OV-ADE/ CF
11	93090A90000	CO O.I.C RHYTHMAT MUSIC ROW, A CONDOMINIUM	1510 DEMONBREUN ST	NASHVILLE	TN	37203	09309	900	MDHA-AC/ OV-UDO/ OV-UZO/ OV-ADE/CF
12	09313057300	MUSIC ROW PARTNERSHIP	1501 DEMONBREUN ST	NASHVILLE	TN	37203	09313	573	MDHA-AC/ OV-UDO/ OV-UZO/ OV-ADE/CF
13	09313057700	MUSIC ROW PARTNERSHIP	DEMONBREUN ST	NASHVILLE	TN	37203	09313	577	MDHA-AC/ OV-UDO/ OV-UZO/ OV-ADE/CF
14	09313058200	DEMONBREUN-FCA, LLC	1505 DEMONBREUN ST	NASHVILLE	TN	37203	09313	582	MDHA-AC/ OV-UDO/ OV-UZO/ OV-ADE/CF
15	09313057400	DEMONBREUN STREET APARTMENT INVESTORS	1515 DEMONBREUN ST	NASHVILLE	TN	37203	09313	574	MDHA-AC/ OV-UDO/ OV-UZO/ OV-ADE/CF
16	09313012900	METRO GOVT P MUSIC SQUARE	1 MUSIC SQ E	NASHVILLE	TN	37203	09313	129	OV-UDO/ OV-UZO/ OV-ADE/CF
17	09216039500	GOULD, MORTON & BERGMAN, MARILYN, TRS.	2 MUSIC SQ W	NASHVILLE	TN	37203	09216	09216	OV-UZO/ MDHA-AC/ OV-UDO/ OV-ADE/CF
18	09216039400	NV MUSIC ROW, LLC	1 MUSIC SQ W	NASHVILLE	TN	37203	09216	394	SP/ OV-UZO/ OV-UDO/ OV-ADE
19	09313000400	ROUNDABOUT PLAZA	1600 DIVISION ST	NASHVILLE	TN	37203	09313	004	no zoning info available
20	09313000800	LIN FAMILY LTD PARTNRSHP	1538 DEMONBREUN ST	NASHVILLE	TN	37203	09313	800	no zoning info available
21	09313000600	YER MAN, LLC	115 16TH AVE S	NASHVILLE	TN	37203	09313	006	no zoning info available
22	09212050100	16TH AVE & MCGAVOCK	109 18TH AVE S PO, L.P.	NASHVILLE	TN	.37203	09212	501	no zoning into available
23	09212050000	16TH AVE & MCGAVOCK	107 16TH AVE S.PO, L.P.	NASHVILLE	ŢN	37203	09212	500	no zoning info available



U.D.O. Cancellation Plan

In conjunction with the approval of the specific plan (SP), the developer is requesting the cancellation of the Music Row UDO on the parcels highlighted above. Ceneral guidelines from the Music Row UDO are being included in this SP to direct the aesthetic of the development and provide conformance as practical to the existing Music Row UDO design requirements.

PARCELS WITHIN SITE BOUNDARY

Parcel ID	Site Area (acres)	Owner	Zoning
09309G20300	0.53	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09309020400	0.26	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09309020500	0.17	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09309020600	0.10	ECG Demonbreun, LLC	CF, OV-U2O, MDHA -AC, OV- UDO
09309025500	0.19	ECG Demonbreun. LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09309025600	0.19	ECG Demonbreun, LLC	CF, DV-UZO, MDHA -AC, DV UDQ
09309025700	0.51	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09309025900	0.19	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09313001300	0.21	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09313001106	0.22	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09313001000	0.22	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
09313000790	0.59	ECG Demonbreun, LLC	CF, OV-UZO, MDHA -AC, OV- UDO
Total:	3.38		